

DIVISION OF PROFESSIONAL REGULATION

PUBLIC MEETING MINUTES:	Board of Electrical Examiners
MEETING DATE AND TIME:	Wednesday, May 4, 2011 at 8:30 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room A , second floor of the Cannon Building
MINUTES APPROVED:	June 1, 2011

MEMBERS PRESENT

Robert Sharp, President, Professional Member
Daniel Creedon, Vice-President, Professional Member
Robert MacLennan, Continuing Education Officer, Professional Member
Jack King, Professional Member
Frank Beebe, Public Member
Richard Millar, Public Member
Nathan Schreppler, Public Member

ABSENT

William Poore, Board Secretary, Public Member
Jerry Craig, Professional Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL

Danny Stevenson, Deputy Attorney General
Barbara Gadbois, Deputy Attorney General
Jennifer Witte, Administrative Specialist II
Paul Eihinger, Investigator
Juli LaBadia, Court Reporter

OTHERS PRESENT

Timothy Phillips
Karen Phillips
Virginia Nacrelli
Christopher Huffman

CALL TO ORDER

Mr. Sharp called the meeting to order at 8:58 a.m.

REVIEW OF MINUTES

A motion was made by Mr. Beebe, seconded by Mr. MacLennan, to approve the minutes from the April 6, 2011 meeting as presented. The motion was unanimously carried.

UNFINISHED BUSINESS

Proposal to Deny Hearing for Timothy Phillips

The hearing was called to order at 9:00 a.m.

Mr. Stevenson stated that today's hearing was regarding the Board's proposal to deny the application for licensure of Timothy Phillips.

The Board members were introduced.

Mr. Phillips was sworn in and agreed to proceed without legal counsel.

Mr. Stevenson entered into evidence Board's Exhibit #1 which included, the application for licensure, State Bureau Investigative report, the Proposal to Deny letter, applicant's request for a hearing, the hearing notice, and a series of letters from employers submitted by Mr. Phillips.

Mr. Phillips testified that he was convicted of unlawful sexual intercourse with a minor 20 years ago, he did his time and the crime has been changed from a tier level 2 to a tier level 1 meaning that he is not considered a threat to the public.

Mr. Phillips answered questions from the Board.

Karen Phillips, Mr. Phillips wife, was sworn in and gave testimony as to husband's credentials and history.

Mrs. Phillips answered questions from the Board.

The State rested.

The Board rested.

The Board went off the record and into deliberations.

The Board went back on record at 9:21 a.m.

Mr. Phillips, who was still under oath, was asked to answer additional questions from the Board and admitted that he has been providing electrical work for various employers without having a license.

The State rested.

The Board rested.

Mr. Phillips added that the electrical work he performed was done on a volunteer basis.

The Board went off record and into deliberations.

The Board went back on record at 9:44 a.m.

A motion was made by Mr. MacLennan, seconded by Mr. Beebe, to grant a waiver and approve Mr. Phillips' examination application. The motion was carried by Robert Sharp, Robert MacLennan, Jack King, Frank Beebe, Richard Millar, and Nathan Schreppler. Daniel Creedon was opposed.

The Board went off record at 9:45 a.m.

Verbatim testimony was taken by a court reporter.

Disciplinary Hearing for Joseph Gorman, Sr.

The hearing was called to order at 9:50 a.m.

Mr. Stevenson stated that this was a disciplinary hearing due to Mr. Gorman's failure to file an application for an inspection with a licensed inspection agency.

The Board members were introduced.

Ms. Gadbois, Deputy Attorney General for the State, was introduced.

Ms. Gadbois submitted into evidence as States Exhibit 1, the 2009 original complaint, license verification from Division of Professional Regulations website, a Decision & Order signed by the Board on April 1, 2009, receipts received from Mr. Gorman and inspection information and States Exhibit 2, the hearing notice dated February 3, 2011.

Jennifer Witte, Administrative Specialist for the Board, was called as the States first witness, sworn in and gave testimony.

Virginia Nacrelli, second witness for the State, was sworn in and gave testimony that she had hired Mr. Gorman to install a 150 amp panel at her residence and he failed to file for an inspection. She had attempted for three years to resolve this issue which resulted in hiring another electrician and arranging for an inspection at an additional cost.

Ms. Nacrelli answered questions from the Board.

The State rested.

The Board rested.

Ms. Gadbois stated in closing that Mr. Gorman was in violation of Del. C. 1412 (a) (2), 1412 (a) (7), and 12.1 of the Rules and Regulations and asked that the Board impose revocation of his license.

The Board went off record and into deliberations.

The Board went back on record at 10:09 a.m.

A motion was made by Mr. MacLennan, seconded by Mr. Beebe, to revoke the license of Joseph Gorman, Sr. and impose a \$500.00 fine for each of the three violations. The motion was unanimously carried.

The Board went off record at 10:09 a.m.

Verbatim testimony was taken by a court reporter.

Disciplinary Hearing for Harold Blair

The hearing was called to order at 10:15 a.m.

Mr. Stevenson stated that today's hearing was a disciplinary hearing due to Mr. Blair's failure to file for an inspection by a licensed inspection agency.

The Board members were introduced.

Barbara Gadbois, Deputy Attorney General for the State, was introduced.

Mr. Blair was not present for the hearing.

Ms. Gadbois submitted into evidence States Exhibit 1, a copy of the 2009 complaint, licensee verification from Division of Professional Regulation's website, and ten separate applications for inspections that were received by Middle Department Inspection Agency and States Exhibit 2, today's hearing notice dated February 3, 2011.

Jennifer Witte, Administrative Specialist for the Board, was sworn in and gave testimony.

Paul Eihinger, Division Investigator, was sworn in and gave testimony that Mr. Blair did electrical work at ten locations and failed to apply for the inspections. He stated that when he contacted Mr. Blair, Mr. Blair advised him that he got caught up in his work and forgot to file for an inspection. On June 7, 2010 he filed for inspections of all the work he had completed.

The State rested.

Mr. Eihinger answered questions from the Board.

The Board rested.

Mr. Blair showed up for the hearing.

The Board went off record.

The Board went back on record at 10:25 a.m.

Mr. Blair was sworn in and agreed to proceed without legal counsel.

Mr. Blair reviewed the charges against him as well as the States Exhibits and did not deny any of the charges.

Mr. Blair gave testimony that failing to file for the inspections was not intentional and a mere oversight. He also stated that at the time, he was not aware that they needed to be filed within five days after the completion of the electrical work.

The State rested.

Mr. Blair answered questions from the Board.

The Board rested.

The State rested.

In closing, Ms. Gadbois stated that although it is commendable that Mr. Blair recognizes that he is at fault, and the State is satisfied with leaving the decision up to the Board and requested that there be some type of disciplinary sanction.

The Board went off record and into deliberations.

The Board went back on record at 10:54 a.m.

A motion was made by Mr. MacLennan, seconded by Mr. Creedon, to place Mr. Blair on probation for six months and impose a \$50.00 fine for each of the ten violations. The motion was unanimously carried.

The hearing went off record at 10:55 a.m.

Verbatim testimony was taken by a court reporter.

Signing of Decision and Orders

The Board signed the Decision and Order from the Rule to Show Cause hearing of Joseph Smith.

Re-Review of Applications

After review, a motion was made by Mr. Beebe, seconded by Mr. Creedon, to approve the Master Electrician application of Jesse Dolinger and the Limited Electrician examination application of Brandon Dominelli. The motion was unanimously carried.

Final Denial of Applications

Michael Zeccola has not responded to or requested a hearing after being notified that the Board proposed to deny his application. His application has been denied

Compliance to Decision and Order

Neal Wharton provided Certificates of Liability Insurance verifying that there has been no lapse in coverage since 2009, thus satisfying the Decision and Order signed September 2, 2009. The Board lifted the suspension on his license.

New Business

Review of Examination Results

The Board reviewed the examination results, which showed that there were no passing scores.

Review of Reciprocity Applications

A motion was made by Mr. MacLennan, seconded by Mr. Beebe, to amend the agenda and add the reciprocity application of Christopher Huffman. The motion was unanimously carried.

A motion was made by Mr. MacLennan, seconded by Mr. Beebe, to approve the Master Electrician applications of David Muraczewski, Charles Vanselous, Steve Tamalavicz, Jr., Paul Link, and Christopher Huffman. The motion was unanimously carried.

A motion was made by Mr. MacLennan, seconded by Mr. Beebe, to approve the Master Electrician application of Curtis Blessing contingent upon receipt of the Certificate of Liability Insurance. The motion was unanimously carried.

Review of Examination Applications

A motion was made by Mr. Beebe, seconded by Mr. Creedon, to approve the Master Electrician applications of James Henry, Stephen Adams, and Eric Riddle and the Limited Electrician applications of Khalil Crump and Mark Katurakes. The motion was unanimously carried.

Review of Continuing Education

A motion was made by Mr. MacLennan, seconded by Mr. Creedon, to approve the following courses as indicated:

AllStar Professional Training, Inc.

2011 NEC Code Changes, 10 hours

The Electrical Association of Philadelphia

One & Two Family Dwelling, Electrical Systems, Part I, 8 hours

Electric Blueprint Reading 101, 5 hours

Fire Alarm Systems, 8 hours

Transformers 101, 8 hours

Grounding & Bonding, 8 hours

Bruce D. Bowman

2011 NEC Update, 5 hours

Grounding Electrical Systems/Swimming Pools & Spas, 5 hours

Common Violations of the NEC, 5 hours

IAEC-Chesapeake Chapter

2011 National Electrical Code Changes-Articles 280-680, 3 hours

Wayne H. Robinson

2011 NEC Analysis of Change Course, 10 hours

Mike Holt Enterprises, Inc

2011 Changes to the NEC part 1 Online/Correspondence, 8 hours

2011 Changes to the NEC part 2 Online/Correspondence, 8 hours

Salisbury Assessment Solutions

Salisbury Arc Flash/Shock Hazard Training, 4 hours

Penn-Del-Jersey Chapter-NECA

Electrical Arc Flash Seminar, NFPA-70E, 7 hours

Technical Training Classes

Grounding and Bonding, 6 hours

Workplace Safety, 5 hours

Joint Apprenticeship and Training Committee Local 313 IBEW/NECA

Significant Changes to the 2011 NEC (Part 1), 5 hours

Significant Changes to the 2011 NEC (Part 2), 5 hours

Significant Changes to the 2011 NEC (Part 3), 5 hours

BlueVolt

2011 Changes to the NEC, 10 hours

Int'l Assoc. of Electrical Inspectors- Chesapeake Chapter

2011 National Electrical Code Changes- Articles 280-680, 3 hours

The motion was unanimously carried.

A motion was made by Mr. MacLennan, seconded by Mr. Creedon, to approve application of Polytech Adult Education pending receipt of a new application. The motion was unanimously carried.

A motion was made by Mr. MacLennan, seconded by Mr. Creedon, to approve the application of National Training Institute pending a course outline with time table. The motion was unanimously carried.

Review of Applications-Danny Stevenson

After review of Victor Panzieri's Master Electrician reciprocity application, Mr. Stevenson stated that he would need to have a hearing before the Board due the administrative penalties issued by the Massachusetts Board.

Schedule Proposal to Deny Hearing

The proposal to deny hearing for Thomas Magness will be scheduled for July 6, 2011 at 9:00 a.m.

Complaints Open/Closed

01-06-08-Forwarded to AG's Office
01-10-08-Forwarded to AG's Office
01-01-09-Assigned
01-02-09-Assigned

01-04-09-Assigned
01-08-09-Forwarded to AG's Office
01-09-09-Forwarded to AG's Office
01-11-09-Forwarded to AG's Office
01-12-09-Forwarded to AG's Office
01-13-09-Assigned
01-14-09-Assigned/Forwarded to AG's Office
01-16-09-Assigned
01-17-09-Forwarded to AG's Office
01-18-09-Forwarded to AG's Office
01-02-10-Assigned
01-04-10-Forwarded to AG's Office
01-06-10-Forwarded to AG's Office
01-09-10-Assigned
01-10-10-Assigned
01-11-10-Assigned
01-12-10-Assigned
01-13-10-Assigned

Review and Discussion of Proposed Bill

There had no further updates on the bill which would introduce the addition of Journeyman and Apprenticeship licensure.

OTHER BUSINESS BEFORE THE BOARD

Mr. Sharp requested discussion of the Homeowners Permits be added to the June agenda.

Mr. Sharp also asked that a letter be sent to the Inspection Agencies advising them that per 12.0 of the Rules and Regulations that they are not permitted to accept blank applications from and electrician nor fill out any part of an application for an electrician.

PUBLIC COMMENT

Christopher Huffman thanked the Board for reviewing his application.

NEXT SCHEDULED MEETING

The next scheduled meeting will be held on Wednesday, June 1, 2011 in Conference Room A, second floor of the Cannon Bldg. 861 Silver Lake Blvd. Dover DE.

ADJOURNMENT

A motion was made by Mr. Creedon, seconded by Mr. Beebe to adjourn. The motion was unanimously carried. The meeting was adjourned at 11:37 a.m.

Respectfully submitted,

Jennifer Witte
Administrative Specialist II

